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PATENT

Attorney Docket No. MARKWELL-02677

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark C. Shults *et al.*

Serial No.: 08/811,473

Art Unit.: 1911

Filed: 03/04/97

Examiner: Ryan Carter

Entitled: **DEVICE AND METHOD FOR DETERMINING ANALYTE LEVELS****RESPONSE TO OFFICE ACTION
MAILED ON DECEMBER 7, 1998****RECEIVED**

MAY 21 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

TECHNOLOGY CENTER 3700

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: May 7, 1999

By: Traci E. Light

Traci E. Light

Sir or Madam:

In response to the Office Action mailed December 7, 1998, the Applicants amend the claims and rebut the Examiner's arguments as follows:

IN THE CLAIMS

Please cancel Claims 1 - 10.

Please amend the claims as follows

1. 11. (amended) A device for measuring glucose in a biological fluid, comprising:

a) a housing comprising electronic circuit means and at least two electrodes operably connected to said electronic circuit means; and

b) a sensor means operably connected to said electrodes of said housing, said sensor means comprising i) means for determining the amount of glucose in a biological sample, said glucose determining means operably associated with said electrodes and comprising a membrane impregnated with an oxidase, ii) a bioprotective

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